

## REMARKS

In accordance with the foregoing, claims 2-6 are amended. No new matter is believed to be added. Claims 1, and 7-9 were previously cancelled. Claims 2-6 and 10 are pending and under consideration.

### CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claims 2, 3, 5, 6 and 10 are rejected under 35 U.S.C. §103 as allegedly being unpatentable over U.S. Patent Application Publication No. 2003/0065805 to Barnes (hereinafter "Barnes").

The paradigm in Barnes is fundamentally different from the claimed request acceptance system, and merely collating phrases from disparate portions of Barnes disclosure is logically deficient when the indicated portions are not linked functionally as recited in the claims.

#### Claim 2

Independent claim 2 is amended herewith to further clarify the claimed subject matter. The claim amendments are supported by the originally filed specification. No new matter is believed to be added.

The Office Action indicates paragraphs [0155]-[0156] and [0277] in Barnes as including teachings relevant relative to "a request acceptance portion that receives a request for providing a service from a customer" as recited in claim 2.

Paragraphs [0155]-[0156] refer to FIG. 4 of Barnes reproduced below:

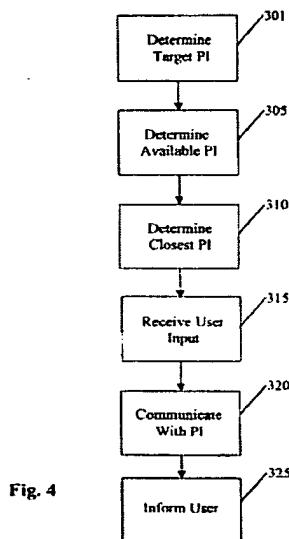


FIG. 4 in Barnes is a data flow diagram of a method which allows a user to locate the

closest point of interest PI (see paragraph [0022] and [0154] in Barnes). That is, different from the claims in which a system used by a service provider to accept a service reservation from customers, in Barnes (see FIG. 4 therein and the corresponding description) a customer initiate an inquiry regarding points of interest (PIs) where services are provided (steps 304, 305, 310), and decides whether to use the services (steps 315, 320, 325).

Paragraph [0277] is part of the subsection "Vendor Information", which focuses on the device 101 capability to find the location of a vendor of a product, within a shopping mall (see paragraphs [0274]-[0277] of Barnes). In this context, in paragraph [0277], Barnes suggest that a "user can also instruct the device 101 (e.g. by a voice input) to transmit a request for other vendor information from a remote computer system (which may or may not be the vendor computer system), prior to arriving at a vendor location."

At the end of paragraph [0277], Barnes suggests that "In response to receiving the vendor information (or upon receiving satisfactory vendor information), the user may instruct the device 101 to transmit a request for a product, a reservation, or other service." However, the request in Barnes is an optional subsequent step to receiving the information, while according to claim 2, the available quantity obtaining portion obtains service availability information "when the request acceptance portion has received the request." That is, the Office Action juxtaposes disparate teachings without regard to the recited relationship between the claimed elements, thus failing to consider both the claim and the prior art teachings as a whole (see MPEP 2143 "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).).

Barnes further fails to anticipate or render obvious "a current position obtaining portion that obtains a current position of the customer who sent the request."

The Office Action indicates paragraph [0316] of Barnes as including teachings relevant relative to the claimed current position obtaining portion. The indicated paragraph included in the subsection "Monitoring and Restricting Use", discloses that position of a user who carries a device 101 can be monitored. However, this monitoring is a stand-alone function of the device which has no relationship with the customer who sent a request for a service.

Barnes does not anticipate or render obvious "an available quantity obtaining portion that obtains service availability information based on an amount of service available at a provision position of the service, when the request acceptance portion has received the request."

The Office Action admits that Barnes does not disclose the "provided quantity information" (now more suggestive named "an available quantity obtaining portion") among other features. Further the Office Action set forth a series of teachings related to paragraphs [0181],

[0162], [0316], [0135], and [0141] alleging that these teachings render obvious the features that the Office Action admits that Barnes fails to teach. Specifically, relative to the above-identified feature recited in claim 2, the product identifying information disclosed in paragraph [0181] is not related to a requested product (which may be considered as corresponding to a service request). The vendor is not enabled by a product availability inquiry to make a reservation as according to claim 2 where submission/receipt of the request sets in motion operations leading to a reservation if the service is available.

Further, Barnes fails to anticipate or render obvious “an area information storage portion that stores area information that defines a service area around the provision position of the service determined according to the service availability information” as recited in claim 2.

The Office Action alleges that Barnes teachings in paragraphs [0162], [0164] and [0141] are relevant to the above-identified features recited in claim 2. The logical connection between the above paragraphs is not understood. Paragraphs [0162] and [0164] refer to steps 305 and 310 in FIG. 4 of Barnes illustrated above. That is, Barnes teachings from paragraphs [0162] and [0164] refer to actions that occur prior to a user input (i.e. step 315) which the Office Action has indicated as corresponding to receiving a request. Paragraph [0141] refers to storing data in the user device 101 depending on a user’s location. However, paragraphs [0162], [0164] of Barnes that refer to vendor location and prior to any user input, and paragraph [0141] of Barnes that refers to data stored in the user device depending on location, do not disclose explicitly or inherently “**a service area** around the provision position of the service **determined according to the service availability information.**” Note also that in the claim, the service availability information is obtained only “**when the request acceptance portion has received the request**” while steps 305 and 310 are performed before the user input at step 315 in FIG. 4 of Barnes.

Barnes does not anticipate “an existence decision portion that determines whether the customer that sent the request is within the service area based on the current position of the customer and the area information” as recited in claim 2.

The Office Action indicates paragraph [0136] (partially reproduced below), lines 4-9 (underlined) as containing relevant teachings relative to the above-identified features recited in claim 2:

[0136] In one example embodiment, when the commerce module 135 executes a commercial transaction, payment information is transmitted to a remote computer system (e.g., the vendor’s computer system). The remote computer system transmits this information as part of a transaction request to the user’s account institution card (e.g., the user’s bank) or an acquirer

**(e.g., in the case of a credit card). As is known in the art, an acquirer is an organization that collects credit-authentication requests from merchants and provides the merchants with a payment guarantee.**

A person of ordinary skill in the art upon reading the above-reproduced portion of Barnes is not enabled to infer the existence decision portion performing as recited in claim 2. The Office Action asserts that the above-reproduced portion of Barnes teaches that “location [is] transmitted to remote destination if user enters a restricted location.” Upon reviewing the whole disclosure of Barnes, Applicants found that in paragraph [0316] Barnes discloses that

[0316] In addition, the device 101 may be programmed to monitor the location of the user carrying the device, which may include what facilities the user enters, the address(es) visited, what vendors the user visits, etc. The location may then be periodically transmitted to a remote computer system or a location notification can be transmitted to a remote destination if the user enters a restricted location (a location defined by the authorized user as being a location that the user should not enter and/or a notification transmitted).

However, Barnes does not teach or suggest that the user carrying the device 101 has submitted any request for a service (see also the above remarks relative to the recited current position obtaining portion). Additionally, there is no evidence that the “restricted location” is related to such a service request being, specifically, there is no correspondent to “area information that defines a service area around the provision position of the service determined according to the service availability information.”

Barnes does not anticipate or render obvious “a reservation acceptance processing portion that accepts a reservation of the service for the customer, at the provision position, when the existence decision portion has determined that the customer is within the service area” as recited in claim 2.

The Office Action indicates paragraphs [0196] and [0321] as including relevant teachings. However, relative to paragraph [0196], the completion of a reservation to a hotel (i.e. check-in) performed when a patron enters an area around a hotel does not render obvious “[accepting] a reservation of the service for the customer, at the provision position, when the existence decision portion has determined that the customer is within the service area” because the hotel reservation pre-existed the customer’s entrance in a service area defined according to service availability. Barnes does not teach or suggest that the hotel reservation is invalidated by the customer being outside an area around the hotel.

Further, relative to paragraph [0321], a user being prevented to make a request in a restricted location does not render obvious the above-identified features of claim 2 because in

the context of claim 2, if since in Barnes there is no request, there is not checking of service availability, there is no service area defined around the point of service, and there is no determination as to whether the user is within the service area. Thus the reservation cannot be accepted “when the existence decision portion has determined that the customer is within the service area” as recited in claim 2.

As argued throughout, Barnes does not render obvious the reservation acceptance system of claim 2. The mere collation of features in Barnes as put forth in the Office Action fails to render obvious the elements recited in claim 2 and having the claimed interdependence.

### Claim 3

Independent claim 3 is amended herewith to further specify the claimed subject matter. The claim amendments are supported by the originally filed specification. No new matter is believed to be added.

Barnes does not render obvious “a request acceptance portion that accepts a request for providing a service **at a desired time** from a customer” as recited in claim 3 (see the above arguments related to the similar feature recited in claim 2, which are incorporated herewith) (emphasis added for a feature recited in claim 3, that is not given any patentable weight in the support put forth for the rejection of claim 3 in the Office Action).

Barnes does not render obvious “a current position information obtaining portion that obtains a current position of the customer **when the customer has sent the request**” as recited in claim 3 (see the above arguments related to the similar feature recited in claim 2, which are incorporated herewith). Note again that in Barnes paragraph [0316] is not related the customer having sent a request.

Barnes does not render obvious “an area information storage portion that stores area information that defines a service area **in accordance with the desired time** for receiving the service, around a provision position of the service” as recited in claim 3 (see the above arguments related to the similar feature recited in claim 2, which are incorporated herewith). Additionally, the Office Action indicates paragraph [0032] of Barnes as including relevant teachings relative to the above-identified feature of claim 3. However the mere fact disclosed in paragraph [0032] of Barnes that the “predetermined distance may be different for different user devices, external systems, times, locations” is not the same as the service area being defined in accordance with the desired time for the service.

Barnes does not render obvious “an existence decision portion that determines whether the customer is within the service area in accordance with the current position information and

the area information" as recited in claim 3 (see the above arguments related to the similar feature recited in claim 2, which are incorporated herewith).

Barnes does not render obvious "a reservation acceptance processing portion accepts a reservation of the service when the existence decision portion has determined that the customer is within the service area and does not reserve the service when the existence decision portion has determined that the customer is not within the service area" as recited in claim 3 (see the above arguments related to the similar feature recited in claim 2, which are incorporated herewith).

For these reasons, Barnes does not render obvious the reservation acceptance system of claim 3. The mere collation of features in Barnes as put forth in the Office Action failing to render obvious the elements recited in claim 3 and having the claimed interdependence.

The reservation acceptance system as recited in claim 3 has the advantage that the system accepts more reservations from the customers needing service at later times, contributing to increasing profits, when the predetermined area is determined in accordance with the desired time accepted for receiving the service.

#### Claim 5

Independent claim 5 is amended herewith to further specify the claimed subject matter. The claim amendments are supported by the originally filed specification. No new matter is believed to be added.

Barnes does not render obvious "a request acceptance portion that accepts a request for providing a service from a customer" as recited in claim 5 (see the above arguments related to the similar feature recited in claim 2, which are incorporated herewith).

Barnes does not render obvious "a current position information obtaining portion that obtains a current position of the customer" as recited in claim 5 (see the above arguments related to the similar feature recited in claim 2, which are incorporated herewith).

Barnes does not render obvious "an available quantity obtaining portion that obtains service availability information based on an amount of service available at a provision position of the service, when the request acceptance portion has received the request" as recited in claim 5 (see the above arguments related to the similar feature recited in claim 2, which are incorporated herewith).

Barnes does not render obvious "an area information storage portion that stores area information that defines a service area around the provision position of the service determined according to the service availability information" as recited in claim 5 (see the above arguments

related to the similar feature recited in claim 2, which are incorporated herewith).

Barnes does not render obvious “an existence decision portion that determines whether the customer is within the service area in accordance with the current position information and the area information” as recited in claim 5 (see the above arguments related to the similar feature recited in claim 2, which are incorporated herewith).

Barnes does not render obvious “a reservation acceptance processing portion that accepts a reservation of the service when the existence decision portion determines that the customer is within the service area, and does not accept the reservation when the existence decision portion determines that the customer is not within the service area” as recited in claim 5 (see the above arguments related to the similar feature recited in claim 2, which are incorporated herewith).

Barnes does not render obvious “an arrival time forecast portion that forecasts a time of arrival **of the customer whose reservation was accepted**, at the provision position” emphasis added for the missing features.

Barnes does not render obvious “an arrival possibility decision portion that **determines whether the customer who made the request will arrive by the forecasted time of arrival in accordance with the time of arrival, a present time and new current position information of the customer that was obtained after the reservation had been accepted**”. In paragraph [0211] which is indicated in the Office Action relative to the above-identified feature recited in claim 5, Barnes merely teaches that in response to a preorder the vendor (via the entry control computer system ECCS) “transmits a time the user should arrive to pick up the food.”

Barnes does not render obvious “a cancel processing portion that cancels the reservation related to the request information when the arrival possibility decision portion that determines that the customer will not arrive by the forecasted time of arrival” as recited in claim 5. The Office Action acknowledges that the above-identified feature is not recited in claim 5 but alleges that is inherent because Barnes states in paragraph [0211] that “such a system can reduce or eliminate waiting to enter the facility, waiting time to receive food, and **counterfeit tickets**.” Applicants respectfully submit that cancellation of a legitimate reservation based on a request is not rendered obvious by refusal to provide service based on fraud, i.e. counterfeit tickets.

For these reasons, Barnes does not render obvious the reservation acceptance system of claim 5. The mere collation of features in Barnes as put forth in the Office Action failing to render obvious the elements recited in claim 5 and having the claimed interdependence.

Claim 6

Independent claim 6 is amended herewith to further specify the claimed subject matter. The claim amendments are supported by the originally filed specification. No new matter is believed to be added.

Amended independent claim 6 patentably distinguishes over Barnes (see the above arguments directed to similar feature recited in claim 2) at least by reciting:

- a current position information obtaining portion that obtains a current position **of a customer who made the request**;
- a demand forecast unit that **forecasts demand of parking in the parking lot according to the traffic information**;
- an area information storage portion that stores area information that defines a parking service area around the parking lot **according to the forecasted demand**;
- an existence decision portion that determines **whether the customer who made the request is within the parking service area in accordance with the current position information and the area information**;
- a reservation acceptance processing portion that accepts a reservation of the parking lot for the customer **when the existence decision portion determines that the customer who made the request is within the parking service area and does not perform the reservation when the existence decision portion determines that the customer is not within the parking service area**. (Emphasis added for features which are not rendered obvious by Barnes' teachings.)

The reservation acceptance system for accepting a reservation of a parking lot as recited in claim 6 has the advantage that the predetermined area is determined in accordance with the future demand which is forecasted based on traffic information, thereby performing reservations more efficiently and increasing profits.

Claim 10

Independent claim 10 patentably distinguishes over Barnes at least by reciting

- a service area portion that determines a predetermined area for service around the parking area based on the available parking space; and
- a decision portion which accepts parking reservation request when the customer that sent the request is within the predetermined area according to the current position information.

The Office Action repeats verbatim the rejection issued in the prior Office Action, without responding to Applicants' counter-arguments in the amendment filed on August 7, 2009, which are reproduced below.

Applicants respectfully submit that neither determining the approximate location of the user in the parking area (disclosed in paragraph [231] of Barnes) nor a database storing available points of interest such as vendor locations limited to a predetermined area or rule based selection of the closest points of interest (disclosed in paragraphs [162], [164] and [141] of Barnes) anticipates or render obvious “[determining] a predetermined area for service around the parking area based on the available parking space” as recited in claim 10. No area is determined in Barnes.

Further, Barnes does not anticipate or renders obvious “accepts parking reservation request when the customer that sent the request is within the predetermined area according to the current position information.” The Office Action alleges that the recited acceptance is render obvious by completing a hotel reservation when a customer is within a predetermined distance from a hotel. However, in the hotel scenario described in the Office Action based on Barnes, the reservation was already accepted being merely completed. Moreover, the predetermined distance is not “a predetermined area for service” which is determined based on the available amount of service (i.e. “parking space”). Thus, the elements in Barnes do not work cooperatively in a manner similar to the elements recited in claim 10.

The parking reservation acceptance system recited in claim 10 has the advantage that a larger number of reservations can be accepted compared to the conventional systems because the predetermined area for service is determined based on the available parking space.

#### Claim 4

Claim 4 is rejected under 35 U.S.C. §103 as allegedly being unpatentable over Barnes in view of U.S. Patent Application Publication No. 2002/0062236 to Murashita et al. (“Murashita”).

Independent claim 4 is amended herewith to further specify the claimed subject matter. The claim amendments are supported by the originally filed specification. No new matter is believed to be added.

Based on the above arguments related to similar features recited in claim 2, contrary to the Office Action position Barnes fails to render obvious the following features recited in claim 4:

- a current position information obtaining portion that obtains a current position of the customer;

- an existence decision portion that determines whether the customer is within the predetermined area in accordance with the current position and the area information; and
- a reservation acceptance processing portion that accepts a reservation of the service when the existence decision portion determines that the customer is within the service area, and asks the customer whether the customer requires a temporary reservation if not the reservation is not accepted because the existence decision portion determines that the customer is outside the service area.

Additionally, Barnes and Murashita alone and in combination fail to render obvious the following features recited in claim 4:

- wherein if the customer requests the temporary reservation, the current position information **obtaining portion obtains a new current position of the customer**,
- the existence decision portion performs **a new decision in accordance with the new current position**, and
- the reservation acceptance processing portion accepts the reservation **if the new decision is that the customer is within the service area**. (Emphasis added for the missing features).

The reservation acceptance system as recited in claim 4 has the advantage of accepting more reservations from customers initially rejected.

## CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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